



C.R.P. No. 2236 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.07.2023

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN
C.R.P. No. 2236 of 2023

Tmt. Aisha Muhammed

...Petitioner

.Vs.

Mr.K. Baskaran

...Respondent

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to issue direction to the trial Court to dispose of the suit in O.S.No.625 of 2021 on the file of the learned IV Additional District Court, Coimbatore within a time frame by allowing this Civil Revision Petition and pass orders

For Petitioner : Mr. V. Anandhamoorthy



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ORDER

This petition is filed to issue a direction to the trial Court to dispose of the suit in O.S.No.625 of 2021 on the file of the learned IV Additional District Court, Coimbatore, within a time frame.

2. The facts of the case is that the petitioner herein has orally agreed to sell the subject property to the Respondent and received a sum of Rs.3,53,00,000/- as sale consideration and thereafter failed to execute the sale deed. Hence the respondent herein has filed a suit in O.S.No.625 of 2021 on the file of the learned IV Additional District Court, Coimbatore against the petitioner to direct the petitioner to execute the sale agreement and also to grant permanent injunction restraining the defendant her men, agents, assigns, relatives from in any manner alienating and encumbering the suit property. However till date there is no progress in the said suit and the same is pending. Hence the petitioner has filed this petition seeking a direction to dispose of the said suit as early as possible.

3. The learned counsel for the petitioner submitted that the petitioner has filed a memo seeking to direct the respondent to deposit the balance sale consideration, but the trial Court rejected the memo on the



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ground that it is for the respondent to establish that he is ready and willing to pay the balance sale consideration and the petitioner cannot compel the respondent to deposit the amount. He further submitted the respondent is not willing to settle the matter and simply dragging the proceedings. Hence prays to allow this petition.

4. In view of the above, the learned IV Additional District Court, Coimbatore is directed to dispose of the O.S.No.625 of 2021 as expeditiously as possible by taking into account the pendency of cases in the Court.

5. With the above directions, this Civil Revision Petition is disposed of. No order as to costs.

12.07.2023

smn

Index : Yes/No

Internet: Yes/No

To.

1. The learned IV Additional District Court, Coimbatore



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V.BHAVANI SUBBAROYAN,J.
Smn

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